

Express Mail No.: EL 501 640 370 US

TECH CENTER 1600 2900

JUN 28 2001

RECEIVED

Application of: Xu et al.

Application No.: 09/026,459

Filed: February 19, 1998

For: MODIFIED RETINOBLASTOMA
TUMOR SUPPRESSOR PROTEINS

Group Art Unit: 1632

Examiner: R. Shukla

Attorney Docket No.: 8660-025

AMENDMENT FEE TRANSMITTAL SHEET

Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

The fee required to be filed with the accompanying Amendment under 37 C.F.R. § 1.116 of even date herewith concerning the above-identified application has been estimated to be \$-0-.

Please charge any required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

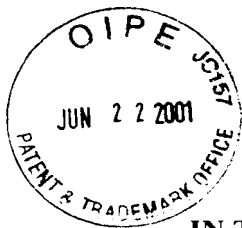
Respectfully submitted,

Date: June 22, 2001

Brian M. Poissant 28,462
Brian M. Poissant (Reg. No.)

By: William Thomann 40,203
William Thomann (Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090



Express Mail No.: EL 501 640 370 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Xu et al.

Application No.: 09/026,459

Group Art Unit: 1632

Filed: February 19, 1998

Examiner: R. Shukla

For: MODIFIED RETINOBLASTOMA
TUMOR SUPPRESSOR PROTEINS

Attorney Docket No.: 8660-025

AMENDMENT UNDER 37 C.F.R. § 1.116

Assistant Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated December 22, 2000, please enter the following amendments and consider the remarks below in connection with the above-identified patent application. Applicants submit concurrently herewith the following: (a) a Petition for Extension of Time for Response for a period of three (3) months from March 22, 2001 to June 22, 2001, accompanied by the appropriate fee; (b) an Amendment Fee Transmittal Sheet; and (c) a Notice of Appeal accompanied by the appropriate fee.

IN THE CLAIMS

Please amend the claims as follows:

1 (twice amended). A DNA segment comprising an isolated gene encoding a modified retinoblastoma tumor suppressor protein other than pRB⁹⁴ or pRB⁵⁶, in which said modified retinoblastoma tumor suppressor protein comprises an insertion, substitution or deletion within the N-terminal 378 amino acids of said protein, with the proviso that said modified protein does not consist of [comprise] a deletion or substitution of amino acids 184-192 or 245-262 [1 through 378], which modified retinoblastoma protein has a biological activity at least equivalent to the biological activity of the corresponding wild type retinoblastoma protein.

36 (twice amended). A recombinant host cell comprising a DNA segment comprising an isolated gene encoding a modified retinoblastoma tumor suppressor protein